



**Permit / Application Information Sheet**  
**Division of Environmental Protection**  
**West Virginia Office of Air Quality**

<b>Company:</b>	Appalachian Oil Purchasers, Inc.	<b>Facility:</b>	Cairo
<b>Region:</b>	8	<b>Plant ID:</b>	085-00018
<b>Application #:</b>	13-3359		
<b>Engineer:</b>	Kessler, Joe		
<b>Category:</b>	SIC: [5171] WHOLESALE TRADE-NONDURABLE GOODS - PETROLEUM BULK STATIONS & TERMINALS NAICS: [424710] Petroleum Bulk Stations and Terminals		
<b>Physical Address:</b>	CR31 Cairo WV 26337		
<b>County:</b>	Ritchie		
<b>Other Parties:</b>	DIRECTOR - Cornelison, Steve 740-828-1148 ENV_CONT - Douglas, Robert 304-665-2461		

**Information Needed for Database and AIRS**

1. Need valid physical West Virginia address with zip

**Regulated Pollutants**

CO	Carbon Monoxide	7.260 TPY
PM10	Particulate Matter < 10 um	2.970 TPY
SO2	Sulfur Dioxide	0.010 TPY
VOC	Volatile Organic Compounds (Reactive organic gases)	9.380 TPY
PM2.5	Particulate Matter < 2.5 um	0.430 TPY
PT	Total Particulate Matter	9.940 TPY
VHAP	VOLATILE ORGANIC HAZARDOUS AIR POLLUTANT	0.600 TPY
NOX	Nitrogen Oxides (including NO, NO2, NO3, N2O3, N2O4, and N2O5)	3.630 TPY

**Summary from this Permit 13-3359**

Air Programs	Applicable Regulations	
NSPS		
TITLE V		
AFTER FACT		
Fee Program	Fee	Application Type
9M	\$2,000.00	CONSTRUCTION

**Activity Dates**

APPLICANT PUBLISHED LEGAL AD	02/15/2017
APPLICATION RECIEVED	02/16/2017
APPLICATION FEE PAID	02/16/2017
ASSIGNED DATE	02/16/2017
APPLICATION DEEMED COMPLETE	02/23/2017

**Notes from Database**

Permit Note: West Virginia Oil Gathering, LLC (WVOG), a subsidiary of EnLink Midstream LLC, has submitted a permit application for the after-the-fact construction and operation of a petroleum liquids storage and transfer station consisting primarily of a 630,000 gallon crude oil tank, a 188 horsepower (hp) natural gas-fired Cummins Model G855 reciprocating internal combustion engine (RICE), and associated loading operations and fugitive emissions. The facility is located in a rural area of Ritchie County approximately 3.52 miles northwest of Cairo, WV at the intersection of US Route 50 and State Route (SR) 31.

*Notice*

**NON-CONFIDENTIAL**

Please note, this information sheet is not a substitute for file research and is limited to data entered into the AIRTRAX database.

Company ID: 085-00018  
Company: Appalachian Oil Purchasers, Inc  
Printed: 02/23/2017  
Engineer: Kessler, Joe

## IPR FILE INDEX

**Applicant :** West Virginia Oil Gathering, LLC  
**Facility :** Nutter Station

**Plant ID No.:** 085-00018  
**R13-3359**

Chronological Order - Add Index Pages As Necessary

Date	To	From	Subject	# of pages
2/16/17	WVOG	Sandra Adkins	48-Hour Letter	
2/21/17	Joe Kessler	WVOG	Affidavit of Publication (via e-mail)	
2/23/17	WVOG	Joe Kessler	Completeness Determination	
2/27/17	File	Joe Kessler	Draft Permit R13-3359, Evaluation/Fact Sheet, Tracking Manifest	
2/27/17	Various	Sandra Adkins	Public Notice Documents	

JRK  
2/27/17

# AIR QUALITY PERMIT NOTICE

## Notice of Intent to Approve

On February 16, 2017, West Virginia Oil Gathering, LLC applied to the WV Department of Environmental Protection, Division of Air Quality (DAQ) for an after-the-fact permit to construct Nutter Station located at the junction of US Route 50 and State Route 31 in Ritchie County, WV at latitude 39.24134 and longitude -81.20777. A preliminary evaluation has determined that all State and Federal air quality requirements will be met by the existing facility. The DAQ is providing notice to the public of its preliminary determination to issue the permit as R13-3359.

The following potential emissions will be authorized by this permit action: Particulate Matter less than 2.5 microns, 0.43 tons per year (TPY); Particulate Matter less than 10 microns, 2.97 TPY; Particulate Matter, 9.94 TPY; Sulfur Dioxide, 0.01 TPY; Oxides of Nitrogen, 3.63 TPY; Carbon Monoxide, 7.26 TPY; Volatile Organic Compounds, 9.38 TPY; Hazardous Air Pollutants, 0.60 TPY.

Written comments or requests for a public meeting must be received by the DAQ before 5:00 p.m. on XXXXXX. A public meeting may be held if the Director of the DAQ determines that significant public interest has been expressed, in writing, or when the Director deems it appropriate.

The purpose of the DAQ's permitting process is to make a preliminary determination if the after-the-fact construction will meet all State and Federal air quality requirements. The purpose of the public review process is to accept public comments on air quality issues relevant to this determination. Only written comments received at the address noted below within the specified time frame, or comments presented orally at a scheduled public meeting, will be considered prior to final action on the permit. All such comments will become part of the public record.

Joe Kessler, PE  
WV Department of Environmental Protection  
Division of Air Quality  
601 57th Street, SE  
Charleston, WV 25304  
Telephone: 304/926-0499, ext. 1219  
FAX: 304/926-0478

*Entire Document*  
**NON-CONFIDENTIAL**

Additional information, including copies of the draft permit, application and all other supporting materials relevant to the permit decision may be obtained by contacting the engineer listed above. The draft permit and engineering evaluation can be downloaded at:

<http://www.dep.wv.gov/daq/Pages/NSRPermitsforReview.aspx>



## Kessler, Joseph R

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**From:** Adkins, Sandra K  
**Sent:** Monday, February 27, 2017 11:18 AM  
**To:** news@ritchiecountynews.com  
**Cc:** Kessler, Joseph R  
**Subject:** Publication of Class I Legal Ad for the WV Division of Air Quality

Please publish the information below as a Class I legal advertisement (one time only) in the Wednesday, March 1, 2017, issue of *The Pennsboro News*. Please let me know that this has been received and will be published as requested. Thank you.

Send the invoice for payment and affidavit of publication to:

**Sandie Adkins**

**WV Department of Environmental Protection  
DIVISION OF AIR QUALITY**

**601- 57th Street**

**Charleston, WV 25304**

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Written comments or requests for a public meeting must be received by the DAQ before 5:00 p.m. on Friday, March 31, 2017. A public meeting may be held if the Director of the DAQ determines that significant public interest has been expressed, in writing, or when the Director deems it appropriate.

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**From:** Adkins, Sandra K  
**Sent:** Tuesday, February 28, 2017 3:49 PM  
**To:** Glance, Jacob P  
**Cc:** Kessler, Joseph R  
**Subject:** DAQ Public Notice

Please see below the Public Notice for Draft Permit R13-3359 for West Virginia Oil Gathering, LLC's Nutter Station located in Ritchie County.

The notice will be published in *The Pennsboro News* on Wednesday, March 1, 2017, and the thirty day comment period will end on Friday, March 31, 2017.

## **AIR QUALITY PERMIT NOTICE**

### **Notice of Intent to Approve**

On February 16, 2017, West Virginia Oil Gathering, LLC applied to the WV Department of Environmental Protection, Division of Air Quality (DAQ) for an after-the-fact permit to construct Nutter Station located at the junction of US Route 50 and State Route 31 in Ritchie County, WV at latitude 39.24134 and longitude -81.20777. A preliminary evaluation has determined that all State and Federal air quality requirements should be met by the existing facility. The DAQ is providing notice to the public of its preliminary determination to issue the permit as R13-3359.

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## Kessler, Joseph R

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**From:** Adkins, Sandra K  
**Sent:** Tuesday, February 28, 2017 3:58 PM  
**To:** 'wentworth.paul@epa.gov'; 'bradley.megan@epa.gov'; robert.douglas@enlink.com; chris.adams@enlink.com; brandi.lowry@flatrockenergy.net  
**Cc:** Durham, William F; McKeone, Beverly D; McCumbers, Carrie; Hammonds, Stephanie E; Kessler, Joseph R; Taylor, Danielle R; Rice, Jennifer L; Robertson, James  
**Subject:** WV Draft Permit R13-3359 for West Virginia Oil Gathering, LLC; Nutter Station  
**Attachments:** 3359.pdf; Eval3359.pdf; notice.pdf

Please find attached the Draft Permit R13-3359, Engineering Evaluation, and Public Notice for West Virginia Oil Gathering, LLC's Nutter Station located in Ritchie County.

The notice will be published in *The Pennsboro News* on Wednesday, March 1, 2017, and the thirty day comment period will end on Friday, March 31, 2017.

Should you have any questions or comments, please contact the permit writer, Joe Kessler, at 304 926-0499 x1219.

*West Virginia Department of Environmental Protection*

*Division of Air Quality*

*Jim Justice  
Governor*

*Austin Caperton  
Cabinet Secretary*

# Permit to Construct



**R13-3359**

*Entire Document*  
**NON-CONFIDENTIAL**

*This permit is issued in accordance with the West Virginia Air Pollution Control Act (West Virginia Code §§ 22-5-1 et seq.) and 45 C.S.R. 13 — Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Temporary Permits, General Permits and Procedures for Evaluation. The permittee identified at the facility listed below is authorized to construct the stationary sources of air pollutants identified herein in accordance with all terms and conditions of this permit.*

Issued to:

**West Virginia Oil Gathering, LLC**

**Nutter Station**

**085-00018**

**DRAFT**

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*William F. Durham  
Director*

*Issued: **DRAFT***



Facility Location: near Cairo, Ritchie County, West Virginia  
Mailing Address: 2017 SR 821, Building 21A, Marietta, OH 45750  
Facility Description: Petroleum Liquids Storage and Transfer Station  
SIC/NAICS Code: 5171/424710  
UTM Coordinates: 482.07 km Easting • 4,343.58 km Northing • Zone 17  
Latitude/Longitude: 39.24134/-81.20777  
Permit Type: Construction  
Description: After-the-Fact construction of a Petroleum Liquids Storage and Transfer Station.

*Any person whose interest may be affected, including, but not necessarily limited to, the applicant and any person who participated in the public comment process, by a permit issued, modified or denied by the Secretary may appeal such action of the Secretary to the Air Quality Board pursuant to article one [§§ 22B-1-1 et seq.], Chapter 22B of the Code of West Virginia. West Virginia Code §22-5-14.*

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*As a result of this permit, the source is a nonmajor or area source subject to 45CSR30. Therefore, the facility is not subject to the permitting requirements of 45CSR30 and is classified as a deferred source.*

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## 1.0 Emission Units

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device <sup>(1)</sup>
OTK-1	OTK-1	Crude Oil Storage Tank	1985	630,000 gallons	IFR
TL-1	TL-1	Crude Oil Truck Loading	1985	16,000 gallons/hour	None
ENG-1	ENG-1	Cummins Model G855 4SRB SI ICE	2008	188 hp	NSCR
FUG	Fugitives	Component Leaks	1985	n/a	None
HR	Fugitives	Haulroads	1985	n/a	None

- (1) IFR = Internal Floating Roof (install, maintained, and operated according to the applicable provisions under 40 CFR 60, Subpart Kb).

## 2.0. General Conditions

### 2.1. Definitions

- 2.1.1. All references to the "West Virginia Air Pollution Control Act" or the "Air Pollution Control Act" mean those provisions contained in W.Va. Code §§ 22-5-1 to 22-5-18.
- 2.1.2. The "Clean Air Act" means those provisions contained in 42 U.S.C. §§ 7401 to 7671q, and regulations promulgated thereunder.
- 2.1.3. "Secretary" means the Secretary of the Department of Environmental Protection or such other person to whom the Secretary has delegated authority or duties pursuant to W.Va. Code §§ 22-1-6 or 22-1-8 (45 CSR § 30-2.12.). The Director of the Division of Air Quality is the Secretary's designated representative for the purposes of this permit.

### 2.2. Acronyms

<b>CAAA</b>	Clean Air Act Amendments	<b>NO<sub>x</sub></b>	Nitrogen Oxides
<b>CBI</b>	Confidential Business Information	<b>NSPS</b>	New Source Performance Standards
<b>CEM</b>	Continuous Emission Monitor	<b>PM</b>	Particulate Matter
<b>CES</b>	Certified Emission Statement	<b>PM<sub>2.5</sub></b>	Particulate Matter less than 2.5µm in diameter
<b>C.F.R. or CFR</b>	Code of Federal Regulations	<b>PM<sub>10</sub></b>	Particulate Matter less than 10µm in diameter
<b>CO</b>	Carbon Monoxide	<b>Ppb</b>	Pounds per Batch
<b>C.S.R. or CSR</b>	Codes of State Rules	<b>pph</b>	Pounds per Hour
<b>DAQ</b>	Division of Air Quality	<b>ppm</b>	Parts per Million
<b>DEP</b>	Department of Environmental Protection	<b>Ppmv or ppmv</b>	Parts per million by volume
<b>dscm</b>	Dry Standard Cubic Meter	<b>PSD</b>	Prevention of Significant Deterioration
<b>FOIA</b>	Freedom of Information Act	<b>psi</b>	Pounds per Square Inch
<b>HAP</b>	Hazardous Air Pollutant	<b>SIC</b>	Standard Industrial Classification
<b>HON</b>	Hazardous Organic NESHAP	<b>SIP</b>	State Implementation Plan
<b>HP</b>	Horsepower	<b>SO<sub>2</sub></b>	Sulfur Dioxide
<b>lbs/hr</b>	Pounds per Hour	<b>TAP</b>	Toxic Air Pollutant
<b>LDAR</b>	Leak Detection and Repair	<b>TPY</b>	Tons per Year
<b>M</b>	Thousand	<b>TRS</b>	Total Reduced Sulfur
<b>MACT</b>	Maximum Achievable Control Technology	<b>TSP</b>	Total Suspended Particulate
<b>MDHI</b>	Maximum Design Heat Input	<b>USEPA</b>	United States Environmental Protection Agency
<b>MM</b>	Million	<b>UTM</b>	Universal Transverse Mercator
<b>MMBtu/hr or mmbtu/hr</b>	Million British Thermal Units per Hour	<b>VEE</b>	Visual Emissions Evaluation
<b>MMCF/hr or mmcf/hr</b>	Million Cubic Feet per Hour	<b>VOC</b>	Volatile Organic Compounds
<b>NA</b>	Not Applicable	<b>VOL</b>	Volatile Organic Liquids
<b>NAAQS</b>	National Ambient Air Quality Standards		
<b>NESHAPS</b>	National Emissions Standards for Hazardous Air Pollutants		

### **2.3. Authority**

This permit is issued in accordance with West Virginia Air Pollution Control Law W.Va. Code §§22-5-1 et seq. and the following Legislative Rules promulgated thereunder:

- 2.3.1. 45CSR13 – *Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Temporary Permits, General Permits and Procedures for Evaluation.*

### **2.4. Term and Renewal**

- 2.4.1. This permit shall remain valid, continuous and in effect unless it is revised, suspended, revoked or otherwise changed under an applicable provision of 45CSR13 or any applicable legislative rule.

### **2.5. Duty to Comply**

- 2.5.1. The permitted facility shall be constructed and operated in accordance with the plans and specifications filed in Permit Application R13-3359 and any modifications, administrative updates, or amendments thereto. The Secretary may suspend or revoke a permit if the plans and specifications upon which the approval was based are not adhered to;  
[45CSR§§13-5.11 and 13-10.3]
- 2.5.2. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the West Virginia Code and the Clean Air Act and is grounds for enforcement action by the Secretary or USEPA;
- 2.5.3. Violations of any of the conditions contained in this permit, or incorporated herein by reference, may subject the permittee to civil and/or criminal penalties for each violation and further action or remedies as provided by West Virginia Code 22-5-6 and 22-5-7;
- 2.5.4. Approval of this permit does not relieve the permittee herein of the responsibility to apply for and obtain all other permits, licenses and/or approvals from other agencies; i.e., local, state and federal, which may have jurisdiction over the construction and/or operation of the source(s) and/or facility herein permitted.

### **2.6. Duty to Provide Information**

The permittee shall furnish to the Secretary within a reasonable time any information the Secretary may request in writing to determine whether cause exists for administratively updating, modifying, revoking or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Secretary copies of records to be kept by the permittee. For information claimed to be confidential, the permittee shall furnish such records to the Secretary along with a claim of confidentiality in accordance with 45CSR31. If confidential information is to be sent to USEPA, the permittee shall directly provide such information to USEPA along with a claim of confidentiality in accordance with 40 C.F.R. Part 2.



## **2.7. Duty to Supplement and Correct Information**

Upon becoming aware of a failure to submit any relevant facts or a submittal of incorrect information in any permit application, the permittee shall promptly submit to the Secretary such supplemental facts or corrected information.

## **2.8. Administrative Update**

The permittee may request an administrative update to this permit as defined in and according to the procedures specified in 45CSR13.  
[45CSR§13-4]

## **2.9. Permit Modification**

The permittee may request a minor modification to this permit as defined in and according to the procedures specified in 45CSR13.  
[45CSR§13-5.4.]

## **2.10. Major Permit Modification**

The permittee may request a major modification as defined in and according to the procedures specified in 45CSR14 or 45CSR19, as appropriate.  
[45CSR§13-5.1]

## **2.11. Inspection and Entry**

The permittee shall allow any authorized representative of the Secretary, upon the presentation of credentials and other documents as may be required by law, to perform the following:

- a. At all reasonable times (including all times in which the facility is in operation) enter upon the permittee's premises where a source is located or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
- b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- c. Inspect at reasonable times (including all times in which the facility is in operation) any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit;
- d. Sample or monitor at reasonable times substances or parameters to determine compliance with the permit or applicable requirements or ascertain the amounts and types of air pollutants discharged.

## **2.12. Emergency**

- 2.12.1. An "emergency" means any situation arising from sudden and reasonable unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission

limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

- 2.12.2. Effect of any emergency. An emergency constitutes an affirmative defense to an action brought for noncompliance with such technology-based emission limitations if the conditions of Section 2.12.3 are met.
- 2.12.3. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:
- a. An emergency occurred and that the permittee can identify the cause(s) of the emergency;
  - b. The permitted facility was at the time being properly operated;
  - c. During the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and,
  - d. The permittee submitted notice of the emergency to the Secretary within one (1) working day of the time when emission limitations were exceeded due to the emergency and made a request for variance, and as applicable rules provide. This notice must contain a detailed description of the emergency, any steps taken to mitigate emission, and corrective actions taken.
- 2.12.4. In any enforcement proceeding, the permittee seeking to establish the occurrence of an emergency has the burden of proof.
- 2.12.5. The provisions of this section are in addition to any emergency or upset provision contained in any applicable requirement.

## **2.13. Need to Halt or Reduce Activity Not a Defense**

It shall not be a defense for a permittee in an enforcement action that it should have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. However, nothing in this paragraph shall be construed as precluding consideration of a need to halt or reduce activity as a mitigating factor in determining penalties for noncompliance if the health, safety, or environmental impacts of halting or reducing operations would be more serious than the impacts of continued operations.

## **2.14. Suspension of Activities**

In the event the permittee should deem it necessary to suspend, for a period in excess of sixty (60) consecutive calendar days, the operations authorized by this permit, the permittee shall notify the Secretary, in writing, within two (2) calendar weeks of the passing of the sixtieth (60) day of the suspension period.

## **2.15. Property Rights**

This permit does not convey any property rights of any sort or any exclusive privilege.

**2.16. Severability**

The provisions of this permit are severable and should any provision(s) be declared by a court of competent jurisdiction to be invalid or unenforceable, all other provisions shall remain in full force and effect.

**2.17. Transferability**

This permit is transferable in accordance with the requirements outlined in Section 10.1 of 45CSR13. [45CSR§13-10.1]

**2.18. Notification Requirements**

The permittee shall notify the Secretary, in writing, no later than thirty (30) calendar days after the actual startup of the operations authorized under this permit.

**2.19. Credible Evidence**

Nothing in this permit shall alter or affect the ability of any person to establish compliance with, or a violation of, any applicable requirement through the use of credible evidence to the extent authorized by law. Nothing in this permit shall be construed to waive any defense otherwise available to the permittee including, but not limited to, any challenge to the credible evidence rule in the context of any future proceeding.

### 3.0. Facility-Wide Requirements

#### 3.1. Limitations and Standards

- 3.1.1. **Open burning.** The open burning of refuse by any person, firm, corporation, association or public agency is prohibited except as noted in 45CSR§6-3.1.  
[45CSR§6-3.1.]
- 3.1.2. **Open burning exemptions.** The exemptions listed in 45CSR§6-3.1 are subject to the following stipulation: Upon notification by the Secretary, no person shall cause, suffer, allow or permit any form of open burning during existing or predicted periods of atmospheric stagnation. Notification shall be made by such means as the Secretary may deem necessary and feasible.  
[45CSR§6-3.2.]
- 3.1.3. **Asbestos.** The permittee is responsible for thoroughly inspecting the facility, or part of the facility, prior to commencement of demolition or renovation for the presence of asbestos and complying with 40 C.F.R. § 61.145, 40 C.F.R. § 61.148, and 40 C.F.R. § 61.150. The permittee, owner, or operator must notify the Secretary at least ten (10) working days prior to the commencement of any asbestos removal on the forms prescribed by the Secretary if the permittee is subject to the notification requirements of 40 C.F.R. § 61.145(b)(3)(i). The USEPA, the Division of Waste Management and the Bureau for Public Health - Environmental Health require a copy of this notice to be sent to them.  
[40CFR§61.145(b) and 45CSR§34]
- 3.1.4. **Odor.** No person shall cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor at any location occupied by the public.  
[45CSR§4-3.1 State-Enforceable only.]
- 3.1.5. **Permanent shutdown.** A source which has not operated at least 500 hours in one 12-month period within the previous five (5) year time period may be considered permanently shutdown, unless such source can provide to the Secretary, with reasonable specificity, information to the contrary. All permits may be modified or revoked and/or reapplication or application for new permits may be required for any source determined to be permanently shutdown.  
[45CSR§13-10.5.]
- 3.1.6. **Standby plan for reducing emissions.** When requested by the Secretary, the permittee shall prepare standby plans for reducing the emissions of air pollutants in accordance with the objectives set forth in Tables I, II, and III of 45 C.S.R. 11.  
[45CSR§11-5.2.]

#### 3.2. Monitoring Requirements

- 3.2.1. **Emission Limit Averaging Time.** Unless otherwise specified, compliance with all annual limits shall be based on a rolling twelve month total. A rolling twelve month total shall be the sum of the measured parameter of the previous twelve calendar months. Compliance with all hourly emission limits shall be based on the applicable NAAQS averaging times or, where applicable, as given in any approved performance test method.

### 3.3. Testing Requirements

3.3.1. **Stack testing.** As per provisions set forth in this permit or as otherwise required by the Secretary, in accordance with the West Virginia Code, underlying regulations, permits and orders, the permittee shall conduct test(s) to determine compliance with the emission limitations set forth in this permit and/or established or set forth in underlying documents. The Secretary, or his duly authorized representative, may at his option witness or conduct such test(s). Should the Secretary exercise his option to conduct such test(s), the operator shall provide all necessary sampling connections and sampling ports to be located in such manner as the Secretary may require, power for test equipment and the required safety equipment, such as scaffolding, railings and ladders, to comply with generally accepted good safety practices. Such tests shall be conducted in accordance with the methods and procedures set forth in this permit or as otherwise approved or specified by the Secretary in accordance with the following:

- a. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with 40 C.F.R. Parts 60, 61, and 63 in accordance with the Secretary's delegated authority and any established equivalency determination methods which are applicable. If a testing method is specified or approved which effectively replaces a test method specified in the permit, the permit may be revised in accordance with 45CSR§13-4 or 45CSR§13-5.4 as applicable.
- b. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with applicable requirements which do not involve federal delegation. In specifying or approving such alternative testing to the test methods, the Secretary, to the extent possible, shall utilize the same equivalency criteria as would be used in approving such changes under Section 3.3.1.a. of this permit. If a testing method is specified or approved which effectively replaces a test method specified in the permit, the permit may be revised in accordance with 45CSR§13-4 or 45CSR§13-5.4 as applicable.
- c. All periodic tests to determine mass emission limits from or air pollutant concentrations in discharge stacks and such other tests as specified in this permit shall be conducted in accordance with an approved test protocol. Unless previously approved, such protocols shall be submitted to the Secretary in writing at least thirty (30) days prior to any testing and shall contain the information set forth by the Secretary. In addition, the permittee shall notify the Secretary at least fifteen (15) days prior to any testing so the Secretary may have the opportunity to observe such tests. This notification shall include the actual date and time during which the test will be conducted and, if appropriate, verification that the tests will fully conform to a referenced protocol previously approved by the Secretary.
- d. The permittee shall submit a report of the results of the stack test within sixty (60) days of completion of the test. The test report shall provide the information necessary to document the objectives of the test and to determine whether proper procedures were used to accomplish these objectives. The report shall include the following: the certification described in paragraph 3.5.1.; a statement of compliance status, also signed by a responsible official; and, a summary of conditions which form the basis for the compliance status evaluation. The summary of conditions shall include the following:
  1. The permit or rule evaluated, with the citation number and language;
  2. The result of the test for each permit or rule condition; and,
  3. A statement of compliance or noncompliance with each permit or rule condition.

[WV Code § 22-5-4(a)(14-15) and 45CSR13]

### 3.4. Recordkeeping Requirements

- 3.4.1. **Retention of records.** The permittee shall maintain records of all information (including monitoring data, support information, reports and notifications) required by this permit recorded in a form suitable and readily available for expeditious inspection and review. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation. The files shall be maintained for at least five (5) years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. At a minimum, the most recent two (2) years of data shall be maintained on site. The remaining three (3) years of data may be maintained off site, but must remain accessible within a reasonable time. Where appropriate, the permittee may maintain records electronically (on a computer, on computer floppy disks, CDs, DVDs, or magnetic tape disks), on microfilm, or on microfiche.
- 3.4.2. **Odors.** For the purposes of 45CSR4, the permittee shall maintain a record of all odor complaints received, any investigation performed in response to such a complaint, and any responsive action(s) taken.  
[45CSR§4. *State-Enforceable only.*]

### 3.5. Reporting Requirements

- 3.5.1. **Responsible official.** Any application form, report, or compliance certification required by this permit to be submitted to the DAQ and/or USEPA shall contain a certification by the responsible official that states that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.
- 3.5.2. **Confidential information.** A permittee may request confidential treatment for the submission of reporting required by this permit pursuant to the limitations and procedures of W.Va. Code § 22-5-10 and 45CSR31.
- 3.5.3. **Correspondence.** All notices, requests, demands, submissions and other communications required or permitted to be made to the Secretary of DEP and/or USEPA shall be made in writing and shall be deemed to have been duly given when delivered by hand, or mailed first class with postage prepaid to the address(es), or submitted in electronic format by email as set forth below or to such other person or address as the Secretary of the Department of Environmental Protection may designate:

**If to the DAQ:**

Director  
WVDEP  
Division of Air Quality  
601 57th Street, SE  
Charleston, WV 25304-2345

**DAQ Compliance and Enforcement<sup>1</sup>:**  
**DAQAirQualityReports@wv.gov**

**If to the US EPA:**

Associate Director  
Office of Air Enforcement and  
Compliance Assistance  
(3AP20)  
U. S. Environmental Protection Agency  
Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029

<sup>1</sup> For all self-monitoring reports (MACT, GACT, NSPS, etc.), stack tests and protocols, notice of Compliance Status Reports, Initial Notifications, etc.

**3.5.4. Operating Fee.**

- 3.5.4.1. In accordance with 45CSR30 – Operating Permit Program, the permittee shall submit a Certified Emissions Statement (CES) and pay fees on an annual basis in accordance with the submittal requirements of the Division of Air Quality. A receipt for the appropriate fee shall be maintained on the premises for which the receipt has been issued, and shall be made immediately available for inspection by the Secretary or his/her duly authorized representative.
- 3.5.4.2. In accordance with 45CSR30 – Operating Permit Program, enclosed with this permit is a Certified Emissions Statement (CES) Invoice, from the date of initial startup through the following June 30. Said invoice and the appropriate fee shall be submitted to this office no later than 30 days prior to the date of initial startup. For any startup date other than July 1, the permittee shall pay a fee or prorated fee in accordance with the Section 4.5 of 45CSR22. A copy of this schedule may be found attached to the Certified Emissions Statement (CES) Invoice.
- 3.5.5. **Emission inventory.** At such time(s) as the Secretary may designate, the permittee herein shall prepare and submit an emission inventory for the previous year, addressing the emissions from the facility and/or process(es) authorized herein, in accordance with the emission inventory submittal requirements of the Division of Air Quality. After the initial submittal, the Secretary may, based upon the type and quantity of the pollutants emitted, establish a frequency other than on an annual basis.

## 4.0. Source-Specific Requirements

### 4.1. Limitations and Standards

4.1.1. Only those emission units/sources as identified in Table 1.0, with the exception of any *de minimis* sources as identified under Table 45-13B of 45CSR13, are authorized at the permitted facility by this permit. In accordance with the information filed in Permit Application R13-3359, the emission units/sources identified under Table 1.0 of this permit shall be installed, maintained, and operated so as to minimize any fugitive escape of pollutants, shall not exceed the listed maximum design capacities, shall use the specified control devices, and comply with any other information provided under Table 1.0.

#### 4.1.2. Storage Tanks

Use of the storage tanks, identified as OTK-1, shall be in accordance with the following:

- a. Tank size and material stored shall be limited as specified under Table 1.0 of this permit;
- b. The throughput of crude oil in OTK-1 shall not exceed a limit of 229,950,000 gallons/year;

#### c. **Cover Requirements**

The permittee shall comply with the following storage tank cover requirements:

- (1) The cover and all openings on the cover (e.g., access hatches, sampling ports, pressure relief valves and gauge wells) shall form a continuous impermeable barrier over the entire surface area of the liquid in the storage vessel.
- (2) Each cover opening shall be secured in a closed, sealed position (e.g., covered by a gasketed lid or cap) whenever material is in the unit on which the cover is installed except during those times when it is necessary to use an opening as follows:
  - (i) To add material to, or remove material from the unit (this includes openings necessary to equalize or balance the internal pressure of the unit following changes in the level of the material in the unit);
  - (ii) To inspect or sample the material in the unit;
  - (iii) To inspect, maintain, repair, or replace equipment located inside the unit; or
  - (iv) To vent liquids, gases, or fumes from the unit through a closed-vent system designed and operated in accordance with the requirements of this permit to a control device or to a process.
- (3) Each storage vessel thief hatch shall be weighted and properly seated. The permittee shall select gasket material for the hatch based on composition of the fluid in the storage vessel and weather conditions.

#### d. **40 CFR 60, Subpart Kb**

The crude oil tank (OTK-1) shall meet all applicable requirements under 40 CFR 60, Subpart Kb including the following (any final revisions made to 40 CFR Subpart Kb will, where applicable, supersede those specifically cited in this permit):



- a. The owner or operator of each storage vessel either with a design capacity greater than or equal to 151 m<sup>3</sup> containing a VOL that, as stored, has a maximum true vapor pressure equal to or greater than 5.2 kPa but less than 76.6 kPa or with a design capacity greater than or equal to 75 m<sup>3</sup> but less than 151 m<sup>3</sup> containing a VOL that, as stored, has a maximum true vapor pressure equal to or greater than 27.6 kPa but less than 76.6 kPa, shall equip each storage vessel with one of the following:  
**[40 CFR§60.112b(a)]**

- (1) A fixed roof in combination with an internal floating roof meeting the following specifications:

- (i) The internal floating roof shall rest or float on the liquid surface (but not necessarily in complete contact with it) inside a storage vessel that has a fixed roof. The internal floating roof shall be floating on the liquid surface at all times, except during initial fill and during those intervals when the storage vessel is completely emptied or subsequently emptied and refilled. When the roof is resting on the leg supports, the process of filling, emptying, or refilling shall be continuous and shall be accomplished as rapidly as possible.

**[40 CFR§60.112b(a)(1)(i)]**

- (ii) Each internal floating roof shall be equipped with one of the following closure devices between the wall of the storage vessel and the edge of the internal floating roof:

**[40 CFR§60.112b(a)(1)(ii)]**

- (A) A foam- or liquid-filled seal mounted in contact with the liquid (liquid-mounted seal). A liquid-mounted seal means a foam- or liquid-filled seal mounted in contact with the liquid between the wall of the storage vessel and the floating roof continuously around the circumference of the tank.

- (B) Two seals mounted one above the other so that each forms a continuous closure that completely covers the space between the wall of the storage vessel and the edge of the internal floating roof. The lower seal may be vapor-mounted, but both must be continuous.

- (C) A mechanical shoe seal. A mechanical shoe seal is a metal sheet held vertically against the wall of the storage vessel by springs or weighted levers and is connected by braces to the floating roof. A flexible coated fabric (envelope) spans the annular space between the metal sheet and the floating roof.

- (iii) Each opening in a noncontact internal floating roof except for automatic bleeder vents (vacuum breaker vents) and the rim space vents is to provide a projection below the liquid surface.

**[40 CFR§60.112b(a)(1)(iii)]**

- (iv) Each opening in the internal floating roof except for leg sleeves, automatic bleeder vents, rim space vents, column wells, ladder wells, sample wells, and stub drains is to be equipped with a cover or lid which is to be maintained in a closed position at all times (i.e., no visible gap) except when the device is in actual use. The cover or lid shall be equipped with a gasket. Covers on each access hatch and automatic gauge float well shall be bolted except when they are in use.

**[40 CFR§60.112b(a)(1)(iv)]**

- (v) Automatic bleeder vents shall be equipped with a gasket and are to be closed at all times when the roof is floating except when the roof is being floated off or is being landed on the roof leg supports.

[40 CFR§60.112b(a)(1)(v)]

- (vi) Rim space vents shall be equipped with a gasket and are to be set to open only when the internal floating roof is not floating or at the manufacturer's recommended setting.

[40 CFR§60.112b(a)(1)(vi)]

- (vii) Each penetration of the internal floating roof for the purpose of sampling shall be a sample well. The sample well shall have a slit fabric cover that covers at least 90 percent of the opening.

[40 CFR§60.112b(a)(1)(vii)]

- (viii) Each penetration of the internal floating roof that allows for passage of a column supporting the fixed roof shall have a flexible fabric sleeve seal or a gasketed sliding cover.

[40 CFR§60.112b(a)(1)(viii)]

- (ix) Each penetration of the internal floating roof that allows for passage of a ladder shall have a gasketed sliding cover.

[40 CFR§60.112b(a)(1)(ix)]

#### 4.1.3. **Truck Loadout**

The Truck Loading operations, identified as TL-1, shall be in accordance with the following requirements:

- a. All trucks shall be loaded using the submerged-fill method. The "submerged-fill method" shall, for the purposes of this permit, mean either bottom-filling or filling by extending the pipe to near the bottom of the tank, and as soon as is practicable, below the level of liquid; and
- b. The maximum loadout of crude oil into trucks from storage tank OTK-1 shall not exceed 2,299,500 gallons per year.

#### 4.1.4. **Fugitive Emissions**

The permittee shall mitigate the release of fugitive emissions according to the following requirements:

- a. The permittee shall not exceed the number and type of components (valves, pump seals, connectors, etc.) in gas/vapor or light liquid (as applicable) listed in Attachment N of Permit Application R13-3359; and
- b. The permittee shall install, maintain, and operate all above-ground piping, valves, pumps, etc. that service lines in the transport of potential sources of regulated air pollutants to prevent any substantive fugitive escape of regulated air pollutants. Any above-ground piping, valves, pumps, etc. that shows signs of excess wear and that have a reasonable potential for substantive fugitive emissions of regulated air pollutants shall be replaced.

#### 4.1.5. **Haulroads**

The permittee shall maintain plant premises where truck traffic is expected in such a manner so as to minimize the production of fugitive particulate matter.

4.1.6. **Engine**

The engine, identified as ENG-1, shall meet the following requirements:

- a. The unit shall be a natural gas-fired Cummins Model G855 4SRB 188 hp engine and shall only be fired by pipeline-quality natural gas;
- b. At all times each engine is in operation, a non-selective catalytic reduction (NSCR) device shall be used for emissions control;
- c. The maximum emissions from the engine, as controlled by the NSCR specified under 4.1.2(b), shall not exceed the limits given in the following table:

**Table 4.1.2(c): Per-Compressor Engine Emission Limits**

Pollutant	PPH	TPY
CO	1.66	7.26
NO <sub>x</sub>	0.83	3.63
VOC	0.41	1.82
Formaldehyde	0.03	0.15

- d. As the annual emissions are based on 8,760 hours of operation, there is no annual limit on hours of operation or natural gas combusted on an annual basis;
- e. The emission limitations specified in Table 4.1.2(c) shall apply at all times except during periods of start-up and shut-down provided that the duration of these periods does not exceed 30 minutes per occurrence. The permittee shall operate the engine in a manner consistent with good air pollution control practices for minimizing emissions at all times, including periods of start-up and shut-down. The emissions from start-up and shut-down shall be included in the twelve (12) month rolling total of emissions. The permittee shall comply with all applicable start-up and shut-down requirements in accordance with 40 CFR Part 60, Subparts JJJJ.
- f. **40 CFR 60, Subpart JJJJ**  
Owners and operators of stationary SI ICE with a maximum engine power greater than or equal to 75 KW (100 HP) (except gasoline and rich burn engines that use LPG) must comply with the emission standards in Table 1 to this subpart for their stationary SI ICE.  
[40 CFR §60.4233(e)]

**Table 1 to Subpart JJJJ of Part 60—NO<sub>x</sub>, CO, and VOC Emission Standards for Stationary Non-Emergency SI Engines ≥100 HP (Except Gasoline and Rich Burn LPG), Stationary SI Landfill/Digester Gas Engines, and Stationary Emergency Engines >25 HP**

Engine type and fuel	Maximum engine power	Manufacture date	Emission standards <sup>a</sup>					
			g/HP-hr			ppmvd at 15% O <sub>2</sub>		
			NO <sub>x</sub>	CO	VOC <sup>(d)</sup>	NO <sub>x</sub>	CO	VOC <sup>(d)</sup>
Non-Emergency SI Natural Gas <sup>b</sup> and Non-Emergency SI Lean Burn LPG <sup>b</sup>	100 ≤ HP ≤ 500	7/1/2008	2.0	4.0	1.0	160	270	86

- (a) Owners and operators of stationary non-certified SI engines may choose to comply with the emission standards in units of either g/HP-hr or ppmvd at 15 percent O<sub>2</sub>.
- (d) For purposes of this subpart, when calculating emissions of volatile organic compounds, emissions of formaldehyde should not be included.  
[40 CFR60, Subpart JJJJ, Table 1]

g. **40 CFR 63, Subpart ZZZZ**

An affected source that meets any of the criteria in paragraphs (c)(1) through (7) of this section must meet the requirements of this part by meeting the requirements of 40 CFR part 60 subpart IIII, for compression ignition engines or 40 CFR part 60 subpart JJJJ, for spark ignition engines. No further requirements apply for such engines under this part.

**[40 CFR §63.6590(c)]**

(1) A new or reconstructed stationary RICE located at an area source;

**[40 CFR §63.6590(c)(1)]**

4.1.7. **Oxidation Catalysts**

The permittee shall follow a written operation and maintenance plan that provides the periodic and annual maintenance requirements of the NSCR (this plan may be based on manufacturer's recommendations on operation and maintenance).

4.1.8. **Operation and Maintenance of Air Pollution Control Equipment.** The permittee shall, to the extent practicable, install, maintain, and operate all pollution control equipment listed in Section 1.0 and associated monitoring equipment in a manner consistent with safety and good air pollution control practices for minimizing emissions, or comply with any more stringent limits set forth in this permit or as set forth by any State rule, Federal regulation, or alternative control plan approved by the Secretary.

**[45CSR§13-5.11.]**

**4.2. Monitoring, Compliance Demonstration, Recording and Reporting Requirements**

4.2.1. For the purposes of demonstrating compliance with maximum throughput limit of crude oil set forth in 4.1.2, the permittee shall monitor and record the monthly and rolling twelve month total of crude oil (in gallons) throughput in the storage tank.

4.2.2. For the purposes of demonstrating compliance with the truck loadout limit set forth in 4.1.3(b), the permittee shall monitor and maintain monthly and rolling twelve month records of the amount of crude oil loaded into tanker trucks.

**4.3. Testing Requirements**

4.3.1. At such reasonable time(s) as the Secretary may designate, in accordance with the provisions of 3.3 of this permit, the permittee shall conduct or have conducted test(s) to determine compliance with the emission limitations established in this permit and/or applicable regulations.

4.3.2. The permittee shall meet all applicable performance testing requirements for ENG-1 as given under 40 CFR 60, Subpart JJJJ.

**4.4. Recordkeeping Requirements**

4.4.1. **Record of Monitoring.** The permittee shall keep records of monitoring information that include the following:

- a. The date, place as defined in this permit and time of sampling or measurements;
- b. The date(s) analyses were performed;
- c. The company or entity that performed the analyses;

- d. The analytical techniques or methods used;
  - e. The results of the analyses; and
  - f. The operating conditions existing at the time of sampling or measurement.
- 4.4.2. **Record of Maintenance of Air Pollution Control Equipment.** For all pollution control equipment listed in Section 1.0, the permittee shall maintain accurate records of all required pollution control equipment inspection and/or preventative maintenance procedures.
- 4.4.3. **Record of Malfunctions of Air Pollution Control Equipment.** For all air pollution control equipment listed in Section 1.0, the permittee shall maintain records of the occurrence and duration of any malfunction or operational shutdown of the air pollution control equipment during which excess emissions occur. For each such case, the following information shall be recorded:
- a. The equipment involved.
  - b. Steps taken to minimize emissions during the event.
  - c. The duration of the event.
  - d. The estimated increase in emissions during the event.

For each such case associated with an equipment malfunction, the additional information shall also be recorded:

- e. The cause of the malfunction.
- f. Steps taken to correct the malfunction.
- g. Any changes or modifications to equipment or procedures that would help prevent future recurrences of the malfunction.

### CERTIFICATION OF DATA ACCURACY

I, the undersigned, hereby certify that, based on information and belief formed after reasonable inquiry, all information contained in the attached \_\_\_\_\_, representing the period beginning \_\_\_\_\_ and ending \_\_\_\_\_, and any supporting documents appended hereto, is true, accurate, and complete.

Signature<sup>1</sup>

(please use blue ink)

\_\_\_\_\_  
Responsible Official or Authorized Representative

\_\_\_\_\_  
Date

Name and Title

(please print or type)

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

Telephone No. \_\_\_\_\_

Fax No. \_\_\_\_\_

---

<sup>1</sup> This form shall be signed by a "Responsible Official." "Responsible Official" means one of the following:

- a. For a corporation: The president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities applying for or subject to a permit and either:
  - (I) the facilities employ more than 250 persons or have a gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars), or
  - (ii) the delegation of authority to such representative is approved in advance by the Director;
- b. For a partnership or sole proprietorship: a general partner or the proprietor, respectively;
- c. For a municipality, State, Federal, or other public entity: either a principal executive officer or ranking elected official. For the purposes of this part, a principal executive officer of a Federal agency includes the chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., a Regional Administrator of USEPA); or
- d. The designated representative delegated with such authority and approved in advance by the Director.



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**west virginia department of environmental protection**

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Division of Air Quality  
601 57<sup>th</sup> Street SE  
Charleston, WV 25304  
Phone (304) 926-0475 • FAX: (304) 926-0479

Jim Justice, Governor  
Austin Caperton, Cabinet Secretary  
[www.dep.wv.gov](http://www.dep.wv.gov)

## **ENGINEERING EVALUATION / FACT SHEET**

### **BACKGROUND INFORMATION**

Application No.:	R13-3359
Plant ID No.:	085-00018
Applicant:	West Virginia Oil Gathering, LLC
Facility Name:	Nutter Station
Location:	Ritchie County
SIC/NAICS Code:	5171/424710
Application Type:	Construction
Received Date:	February 16, 2017
Engineer Assigned:	Joe Kessler
Fee Amount:	\$2,000
Date Received:	February 17, 2017
Complete Date:	February 23, 2017
Due Date:	May 24, 2017
Applicant Ad Date:	February 15, 2017
Newspaper:	<i>The Pennsboro News</i>
UTM's:	482.07 km Easting • 4,343.58 km Northing • Zone 17
Latitude/Longitude:	39.24134/-81.20777
Description:	After-the-fact construction of a Petroleum Liquids Storage and Transfer Station.

*Entire Document*  
**NON-CONFIDENTIAL**

### **DESCRIPTION OF PROCESS**

West Virginia Oil Gathering, LLC (WVOG), a subsidiary of EnLink Midstream LLC, has submitted a permit application for the after-the-fact construction and operation of a petroleum liquids storage and transfer station consisting primarily of a 630,000 gallon crude oil tank, a 188 horsepower (hp) 4-stroke rich burn (4SRB) natural gas-fired Cummins Model G855 reciprocating internal combustion engine (RICE), and associated loading operations and fugitive emissions. The facility is located in a rural area of Ritchie County approximately 3.52 miles northwest of Cairo, WV at the intersection of US Route 50 and State Route (SR) 31 and was originally constructed in 2006.

The Nutter Station receives crude oil solutions from surrounding gas and oil wells via tanker truck and pipeline. The fluids are stored in the 630,000 gallon crude oil storage tank (OTK-1) equipped with an internal floating roof. Additionally, there is one small diesel fuel tank (less than 10,567 gallons) located at the site.

Crude oil can be either trucked or piped into the facility. Typically, crude oil is removed from the facility via pipeline. In the event there is an issue with the pipeline, oil can also be loaded back onto tanker trucks (TL-1) from the tanks for removal from the site. Conservatively, the maximum annual throughput of crude oil is estimated to be 229,950,000 gallons.

Additionally, the site includes one (1) 188 hp 4SRB natural gas-fired Cummins Model G855 engine (ENG-1) used to supply power to the pump when electrical service is not available. This engine was manufactured on December 10, 2008 and is equipped with a non-selective catalytic reduction (NSCR) device to control the emissions of CO, NO<sub>x</sub>, and VOCs.

## **SITE INSPECTION**

Due to the nature of the permitting action, and the availability of a recent inspection by the DAQ, the writer did not conduct an additional site inspection for this permitting action. According to information in the DAQ database, the last full on-site inspection occurred on August 23, 2016 by Mr. James Robertson of the Compliance/Enforcement Section. This inspection found the facility be "Status 30 - In Compliance."

## **AIR EMISSIONS AND CALCULATION METHODOLOGIES**

WVOG included in Attachment N of the permit application an emission estimate for the existing Nutter Station. The following will summarize the calculation methodologies used by WVOG to calculate the potential-to-emit (PTE) of the existing facility.

### ***Storage Tanks***

WVOG provided an estimate of the emissions produced from the crude oil storage tank (OTK-1) using the TANKS 4.09d program as provided under AP-42, Section 7 (AP-42 is a database of emission factors maintained by USEPA). This was the only storage tank on site determined to have the potential for any substantive emissions. The total emissions loss from a floating roof are the combination of the calculated "rim seal," "withdrawal," "deck fitting," and "deck seam" losses.

Conservatively, a maximum annual throughput of crude oil of 229,950,000 gallons (630,000 gallon tank turned over 365 times) was used in the calculations. WVOG doubled the calculated emission rate to account for any unknown variability in the makeup of the crude oil. The utilization of the internal floating roof on OTK-1 was considered in the calculations. Hazardous Air Pollutant (HAP) weight percentages (of total VOC emissions) were based on Table 11.3-2, "HAP Percent of VOC Emissions," Gasoline Marketing (Stage I and Stage II), EPA Document Revised Final 1/2001.

### ***Truck Loadouts***

Air emissions from crude oil loading operations (TL-1) occur as fugitive emissions generated by displacement of vapors when loading trucks. The emission factor used to generate the VOC



emissions is based on Equation (1) of AP-42 Section 5.2-4. In this equation, WVOG used variables specific to the liquids loaded and to the method of loading - in this case "submerged loading - dedicated normal service." Additionally, worst-case annual emissions were based on a maximum loading rate of crude oil of 2,950,000 gallons (one percent of total facility crude throughput). Note that under normal operations, truck loading of crude oil will not occur. It will only occur if there is a problem with the pipeline normal used to transport the oil. A maximum hourly pumping rate of 16,800 gal-crude oil/hour was used to determine the short term emission rate. HAP weight percentages (of total VOC emissions) were based on Table 11.3-2, "HAP Percent of VOC Emissions," Gasoline Marketing (Stage I and Stage II), EPA Document Revised Final 1/2001.

### ***Engine***

Potential emissions from the one (1) 188 hp 4SRB natural gas-fired Cummins Model G855 engine (ENG-1) was based on the applicable emission limits as given under 40 CFR 60, Subpart JJJJ, and as given in AP-42, Section 3.2 (AP-42 is a database of emission factors maintained by USEPA). As noted above the engine is equipped with a non-selective catalytic reduction (NSCR) device. Hourly emissions were based on the (as calculated using a fuel heat rating of 8,605 Btu/hp-hr) maximum design heat input (MDHI) of the engines of 1.62 mmBtu/hr and the maximum hp rating. Annual emissions were based on 8,760 hours of operation per year. The following table details the PTE of each compressor engine:

**Table 1: Per-Compressor Engine PTE**

Pollutant	Emission Factor	Source	Hourly (lb/hr)	Annual (ton/yr)
CO	4.00 g/hp-hr (controlled)	Subpart JJJJ, Table 1	1.66	7.26
NO <sub>x</sub>	2.00 g/hp-hr (controlled)	Subpart JJJJ, Table 1	0.83	3.63
PM <sub>2.5</sub> /PM <sub>10</sub> /PM <sup>(1)</sup>	19.41 x 10 <sup>-3</sup> lb/mmBtu	AP-42, Table 3.2-3	0.03	0.14
SO <sub>2</sub>	5.88 x 10 <sup>-4</sup> lb/mmBtu	AP-42, Table 3.2-3	0.001	0.004
VOCs	1.00 g/hp-hr (controlled)	Subpart JJJJ, Table 1	0.41	1.82
Total HAPs	Various	AP-42, Table 3.2-2	0.05	0.22
Formaldehyde <sup>(1)</sup>	2.05 x 10 <sup>-2</sup> lb/mmBtu	Catalyst Vendor	0.03	0.15

(1) Includes condensables.

### ***Fugitives***

WVOG based their VOC fugitive equipment leak calculations (leaked from from valves, connectors, flanges, etc.) on emission factors taken from the document EPA-453/R-95-017 - "Protocol for Equipment Leak Emission Estimates" Table 2-4 (VOCs). No control efficiencies, as based on a Leak Detection and Repair (LDAR) protocol, were applied. Component counts were given and shall be limited in the draft permit. Conservative VOC by-weight percentages of 100% were used in the calculations.

## Haul Roads

WVOG included in their application an estimate of fugitive emissions created by truck traffic unloading and removing liquids from the tanks. As all the roadways around the station are unpaved, WVOG used the equation given in Section 13.2.2 of AP-42 and appropriate variables to estimate potential emissions.

## Emissions Summary

Based on the above estimation methodology, the facility-wide emissions of the Nutter Station is given in the following table:

**Table 2: Nutter Facility-Wide Potential-to-Emit (PTE)**

Source	CO		NO <sub>x</sub>		PM		SO <sub>2</sub>		VOCs		HAPs	
	lb/hr	TPY	lb/hr	TPY	lb/hr	TPY	lb/hr	TPY	lb/hr	TPY	lb/hr	TPY
Storage Tank	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.08	4.72	0.06	0.25
Truck Loading	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.51	2.25	1.79	0.12
Engine	1.66	7.26	0.83	3.63	0.03	0.14	0.01	0.01	0.41	1.82	0.05	0.23
Leak Fugitives	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.14	0.59	0.00	0.00
Haul Roads	0.00	0.00	0.00	0.00	2.24	9.80	0.00	0.00	0.00	0.00	0.00	0.00
<b>Facility-Wide Totals</b>	1.66	7.26	0.83	3.63	2.27	9.94	0.01	0.01	2.14	9.38	1.90	0.60

- (1) PM emissions are total PM and include condensables where applicable. Lower emission rates of PM<sub>2.5</sub> and PM<sub>10</sub> are produced from haulroads but were not included for simplicity.

## REGULATORY APPLICABILITY

This section will address the potential regulatory applicability/non-applicability of substantive state and federal air quality rules relevant to the Nutter Station.

### ***45CSR13: Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Administrative Updates, Temporary Permits, General Permits, and Procedures for Evaluation***

The Nutter Station has a maximum uncontrolled (without operational limits) emission rate of a regulated pollutant in excess of six (6) lbs/hour and ten (10) TPY and, additionally, the facility is “subject to [a] substantive requirement [Subpart Kb and Subpart JJJ] of an emission control rule promulgated by the Secretary.” Therefore, pursuant to §45-13-2.24, the facility is defined as a “stationary source” under 45CSR13. Pursuant to §45-13-5.1, “[n]o person shall cause, suffer, allow or permit the construction . . . and operation of any stationary source to be commenced without . . . obtaining a permit to construct.” WVOG is required to obtain an after-the-fact permit under 45CSR13 for the after-the-fact construction and operation of Nutter Station.

As required under §45-13-8.3 (“Notice Level A”), WVOG placed a Class I legal advertisement in a “newspaper of *general circulation* in the area where the source is . . . located.” The ad ran on

February 15, 2017 in *The Pennsboro News* and the affidavit of publication for this legal advertisement was submitted on February 21, 2017.

#### ***45CSR14 (NON APPLICABILITY)***

The facility-wide PTE of Nutter Station (see Table 1 above) is below the levels that would define the source as “major” under 45CSR14 and, therefore, the facility evaluated herein is not subject to the provisions of 45CSR14.

#### ***45CSR30: Requirements for Operating Permits***

45CSR30 provides for the establishment of a comprehensive air quality permitting system consistent with the requirements of Title V of the Clean Air Act. The facility does not meet the definition of a “major source under § 112 of the Clean Air Act” as outlined under §45-30-2.26 and clarified (fugitive policy) under 45CSR30b. However, as there is an emissions source at the facility subject to requirements promulgated under §111 or §112(r) of the Clean Air Act (specifically 40 CFR 60, Subpart Kb) that does not have a specific exemption from Title V permitting, the facility is considered a non-major “area” source subject to Title V. Sources in this classification (also known as “deferred sources”) are deferred from a requirement to get a Title V permit.

#### ***40 CFR60, Subpart Kb: Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984***

Subpart Kb of 40 CFR 60 is the NSPS for storage tanks containing Volatile Organic Liquids (VOLs) which construction commenced after July 23, 1984. The Subpart applies to storage vessels used to store volatile organic liquids with a capacity greater than or equal to 75 m<sup>3</sup> (19,813 gallons). However, storage tanks with a capacity greater than or equal to 151 m<sup>3</sup> (39,890 gallons) storing a liquid with a maximum true vapor pressure less than 3.5 kilopascals (kPa) or with a capacity greater than or equal to 75 m<sup>3</sup> but less than 151 m<sup>3</sup> storing a liquid with a maximum true vapor pressure less than 15.0 kPa are exempt from Subpart Kb. Note that this facility is located after the custody transfer and is, therefore, not eligible for the exemption given under §60.110b(d)(4). Therefore, based on the above, the 630,000 gallon (2384.81 m<sup>3</sup>) crude oil (~ 35 kPa) storage tank (OTK-1) is subject to the applicable provisions therein.

The substantive requirement for the crude oil tank, as relevant to OTK-1, is given under §60.112b(a), which applies to the “owner or operator of each storage vessel either with a design capacity greater than or equal to 151 m<sup>3</sup> containing a VOL that, as stored, has a maximum true vapor pressure equal to or greater than 5.2 kPa but less than 76.6 kPa . . .,” is for the storage tank to be equipped with a an internal floating roof meeting the requirements given under §60.112b(a)(1)(i) though (ix). The applicable crude oil tank at the Nutter Station is equipped with an internal floating roof.

#### ***40 CFR 60 Subpart JJJJ: Standards of Performance for Stationary Spark Ignition Internal Combustion Engines.***

WVOG's 188 hp, 4SRB natural gas-fired Cummins Model G855 engine located at Nutter Station is defined under 40 CFR 60, Subpart JJJJ as a stationary spark-ignition internal combustion engine (SI ICE) and is, pursuant to §60.4230(a)(4)(iii), subject to the applicable provisions of the rule. Pursuant to §60.4233(e): "Owners and operators of stationary SI ICE with a maximum engine power greater than or equal to 75 KW (100 HP) (except gasoline and rich burn engines that use LPG) must comply with the emission standards in Table 1 to this subpart for their stationary SI ICE." Therefore, as the existing WVOG engine is greater than 100 hp, it must comply with the emission standards under Table 1 for "Non-Emergency SI ICE 100≤HP≤500 hp manufactured after July 1, 2008:" NO<sub>x</sub> - 2.0 g/HP-hr, CO - 4.0 g/HP-hr, and VOC - 1.0 g/HP-hr. The emission standards and the proposed compliance therewith of the engines are given in the following table:

**Table 3: Cummins Model G855 Subpart JJJJ Compliance**

Pollutant	Standard (g/HP-hr)	Uncontrolled Emissions (g/bhp) <sup>(1)</sup>	Control Percentage <sup>(1)</sup>	Controlled Emissions (g/bhp) <sup>(1)</sup>	JJJJ Compliant?
NO <sub>x</sub>	2.0	5.90	66.10%	2.00	Yes
CO	4.0	26.70	85.02%	4.00	Yes
VOC	1.0	1.90	47.37%	1.00	Yes

(1) Uncontrolled emissions are based on the vendor data sheet supplied in the permit application. Controlled emissions are based on the Subpart JJJJ standard. Control percentages are calculated.

The Cummins Model G855 engine is not a "certified" engine under Subpart JJJJ so WVOG will have to show compliance with the emission standards pursuant to §60.4243(b)(2)(ii): conducting an initial performance test and thereafter conducting subsequent performance testing every 8,760 hours or 3 years, whichever comes first, to demonstrate compliance. Performance testing requirements are given under §60.4244 of Subpart JJJJ. EQT will additionally have to meet all applicable monitoring, recording, and record-keeping requirements under Subpart JJJJ.

#### ***40 CFR 63 Subpart ZZZZ: Standards of Performance for Stationary Spark Ignition Internal Combustion Engines***

On June 1, 2013 the DAQ took delegation of the area source provisions of 40 CFR 63, Subpart ZZZZ. As the Nutter Station is defined as an area source of HAPs (see Table 2), the facility is subject to applicable requirements of Subpart ZZZZ. Pursuant to §63.6590(c):

An affected source that meets any of the criteria in paragraphs (c)(1) through (7) of this section must meet the requirements of this part by meeting the requirements of 40 CFR part 60 subpart IIII, for compression ignition engines or 40 CFR part 60 subpart JJJJ, for spark ignition engines. No further requirements apply for such engines under this part.

§63.6590(c)(1) specifies that "[a] new or reconstructed stationary RICE located at an area source" is defined as a RICE that shows compliance with the requirements of Subpart ZZZZ by "meeting the requirements of . . . 40 CFR part 60 subpart JJJJ, for spark ignition engines." Pursuant

to §63.6590(a)(2)(iii), a “stationary RICE located at an area source of HAP emissions is new if [the applicant] commenced construction of the stationary RICE on or after June 12, 2006.” The existing engines located at the Nutter Station is defined as a new stationary RICE (application states manufacture date of engines is December 2008) and, therefore, WVOG will show compliance with Subpart ZZZZ by meeting the requirements of 40 CFR 60, Subpart JJJJ. Compliance with Subpart JJJJ is discussed above.

## **TOXICITY ANALYSIS OF NON-CRITERIA REGULATED POLLUTANTS**

This section provides an analysis for those regulated pollutants that may be emitted from Nutter Station and that are not classified as “criteria pollutants.” Criteria pollutants are defined as Carbon Monoxide (CO), Lead (Pb), Oxides of Nitrogen (NO<sub>x</sub>), Ozone, Particulate Matter (PM<sub>10</sub> and PM<sub>2.5</sub>), and Sulfur Dioxide (SO<sub>2</sub>). These pollutants (with the exception of PM) have National Ambient Air Quality Standards (NAAQS) set for each that are designed to protect the public health and welfare. Other pollutants of concern, although designated as non-criteria and without national concentration standards, are regulated through various federal and programs designed to limit their emissions and public exposure. These programs include federal source-specific Hazardous Air Pollutants (HAPs) limits promulgated under 40 CFR 61 (NESHAPS) and 40 CFR 63 (MACT). Any potential applicability to these programs were discussed above under REGULATORY APPLICABILITY.

The majority of non-criteria regulated pollutants fall under the definition of HAPs which, with some revision since, were 188 compounds identified under Section 112(b) of the Clean Air Act (CAA) as pollutants or groups of pollutants that EPA knows or suspects may cause cancer or other serious human health effects. The following table lists each HAP identified by WVOG with facility-wide emissions above 0.05 TPY (100 lbs/year) and the associated carcinogenic risk (as based on analysis provided in the Integrated Risk Information System (IRIS)):

**Table 2: HAPs - Carcinogenic Risk**

HAPs	Type	Known/Suspected Carcinogen	Classification
n-Hexane	VOC	No	Inadequate Data
Formaldehyde	VOC	Yes	B1 - Probable Human Carcinogen
Benzene	VOC	Yes	Category A - Known Human Carcinogen
Toluene	VOC	No	Inadequate Data

All HAPs have other non-carcinogenic chronic and acute effects. These adverse health affects may be associated with a wide range of ambient concentrations and exposure times and are influenced by source-specific characteristics such as emission rates and local meteorological conditions. Health impacts are also dependent on multiple factors that affect variability in humans such as genetics, age, health status (e.g., the presence of pre-existing disease) and lifestyle. As stated previously, *there are no federal or state ambient air quality standards for these specific chemicals.* For a complete discussion of the known health effects of each compound refer to the IRIS database located at [www.epa.gov/iris](http://www.epa.gov/iris).

## **AIR QUALITY IMPACT ANALYSIS**

The facility does not meet the definition of a “major stationary source” pursuant to 45CSR14 and, therefore, an air quality impact (computer modeling) analysis was not required. Additionally, based on the nature of the construction , modeling was not required under 45CSR13, Section 7.

## **MONITORING, COMPLIANCE DEMONSTRATIONS, RECORD-KEEPING, AND REPORTING REQUIREMENTS**

The following substantive monitoring, compliance demonstration, reporting, and record-keeping requirements (MRR) shall be required:

- For the purposes of demonstrating compliance with maximum throughput limit of crude oil set forth in 4.1.2 of the draft permit, WVOG shall be required to monitor and record the monthly and rolling twelve month total of crude oil (in gallons) throughput in the storage tank; and
- For the purposes of demonstrating compliance with the truck loadout limit set forth in 4.1.3(b) of the draft permit, WVOG shall be required to monitor and maintain monthly and rolling twelve month records of the amount of crude oil loaded into tanker trucks.


## **PERFORMANCE TESTING OF OPERATIONS**

The following substantive performance testing requirements shall be required:

- At such reasonable time(s) as the Secretary may designate, in accordance with the provisions of 3.3 of the draft permit, WVOG shall be required to conduct test(s) to determine compliance with the emission limitations established in this permit and/or applicable regulations; and
- The permittee shall meet all applicable performance testing requirements for ENG-1 as given under 40 CFR 60, Subpart JJJJ.

## **RECOMMENDATION TO DIRECTOR**

The information provided in permit application R13-3359 indicates that compliance with all applicable state and federal air quality regulations should be achieved. Therefore, I recommend to the Director the issuance of Permit Number R13-3359 to West Virginia Oil Gathering, LLC for the after-the-fact construction and operation of the Nutter Station located in Ritchie County, WV.

  
\_\_\_\_\_  
Joe Kessler, PE  
Engineer

2/27/17  
\_\_\_\_\_  
Date

Fact Sheet R13-3359  
West Virginia Oil Gathering, LLC  
Nutter Station

# INTERNAL PERMITTING DOCUMENT TRACKING MANIFEST

Company Name WV OIL GATHERING, LLC

Permitting Action Number R13-3359 Total Days 7 DAQ Days 0

## Permitting Action:

- |   |   |                                      |
|---|---|--------------------------------------|
| <input type="radio"/> Permit Determination  | <input type="radio"/> Temporary                       | <input type="radio"/> Modification   |
| <input type="radio"/> General Permit        | <input type="radio"/> Relocation                      | <input type="radio"/> PSD (Rule 14)  |
| <input type="radio"/> Administrative Update | <input checked="" type="radio"/> Construction (A-E-F) | <input type="radio"/> NNSR (Rule 19) |

## Documents Attached:

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Engineering Evaluation/Memo   | <input checked="" type="checkbox"/> Completed Database Sheet |
| <input checked="" type="checkbox"/> Draft Permit                  | <input type="checkbox"/> Withdrawal                          |
| <input checked="" type="checkbox"/> Notice                        | <input type="checkbox"/> Letter                              |
| <input type="checkbox"/> Denial                                   | <input type="checkbox"/> Other (specify) _____               |
| <input type="checkbox"/> Final Permit/General Permit Registration | _____  |

Date	From	To	Action Requested
2/23/17	Joe Kessler	Bev McKeone	NOTICE APPROVAL
2/24	Bev	Joe	See comments - Addition - Auto to Notice

NOTE: Retain a copy of this manifest for your records when transmitting your document(s).





## Kessler, Joseph R

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**From:** Kessler, Joseph R  
**Sent:** Thursday, February 23, 2017 9:30 AM  
**To:** Robert Douglas; Steve Cornelison  
**Cc:** Brandi Lowry; Kessler, Joseph R  
**Subject:** R13-3359 Permit Application Status

**RE: Application Status: Complete  
WV Oil Gathering, LLC  
Nutter Station  
Permit Application: R13-3359  
Plant ID No.: 085-00018**

Dear Mr. Cornelison:

Your application for an after-the-fact construction permit was received by the Division of Air Quality (DAQ) on February 16, 2017 and assigned to the writer for review. Upon an initial review, the application has been deemed complete as of the date of this e-mail. The ninety (90) day statutory time frame began on that day.

This determination of completeness shall not relieve the permit applicant of the requirement to subsequently submit, in a timely manner, any additional or corrected information deemed necessary for a final permit determination.

Should you have any questions, please contact me at (304) 926-0499 ext. 1219 or reply to this email.

Thank You,

Joe Kessler, PE  
Engineer  
West Virginia Division of Air Quality  
601-57th St., SE  
Charleston, WV 25304  
Phone: (304) 926-0499 x1219  
Fax: (304) 926-0478  
[Joseph.r.kessler@wv.gov](mailto:Joseph.r.kessler@wv.gov)

*Entire Document*  
**NON-CONFIDENTIAL**

**Kessler, Joseph R**

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**From:** Ward, Beth A  
**Sent:** Friday, February 17, 2017 10:58 AM  
**To:** Kessler, Joseph R  
**Subject:** APPALACHIAN OIL PURCHASERS INC & MARKWEST LIBERTY MIDSTREAM & RESOURCES LLC PERMIT APPLICATION FEES

This is the receipt for payment received from:

APPALACHIAN OIL PURCHASERS INC, CAIRO, CK# 013374, CK DATE 02/06/2017, \$2,000.00  
R13-3359 ID 085-00018

MARKWEST LIBERTY MIDSTREAM & RESOURCES LLC, SHERWOOD, CK# 042899, CK DATE 01/31/2017, \$300.00  
R13-2914E ID 017-00034

OASIS Deposit CR 1700089587

Thank You!

*Beth Ward*

WV DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BTO FISCAL  
601 57<sup>TH</sup> STREET SE  
CHARLESTON, WV 25304  
(304) 926-0499 EXT 1846  
[beth.a.ward@wv.gov](mailto:beth.a.ward@wv.gov)



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west virginia department of environmental protection

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Division of Air Quality  
601 57<sup>th</sup> Street SE  
Charleston, WV 25304  
Phone: 304 926 0475 • FAX: 304 926 0479

Earl Ray Tomblin, Governor  
Randy C. Huffman, Cabinet Secretary  
[www.dep.wv.gov](http://www.dep.wv.gov)

October 22, 2015

**CERTIFIED MAIL**  
91 7199 9991 7031 5495 7793

Mac Hummel  
Executive Vice President/ Business Unit President  
West Virginia Oil Gathering, LLC  
2501 Cedar Springs, Suite 100  
Dallas, TX 75201

Re: Delegation of Authority Confirmation  
Facility ID No. 03-54-073-00009

Dear Mr. Hummel:

The Division of Air Quality hereby acknowledges your Authority of Corporation form, dated October 15, 2015, for Steve Cornelison to be a delegated authorized representative for the above-referenced facility.

Should you have any questions or comments, please contact our office at the address or telephone number listed above.

Sincerely,

William F. Durham  
Director

WFD/jlr

c: Steve Cornelison  
File Room

Promoting a healthy environment.



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west virginia department of environmental protection

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Division of Air Quality  
601 57<sup>th</sup> Street SE  
Charleston, WV 25304  
Phone: 304 926 0475 • FAX: 304 926 0479

Earl Ray Tomblin, Governor  
Randy C. Huffman, Cabinet Secretary  
[www.dep.wv.gov](http://www.dep.wv.gov)

October 22, 2015

**CERTIFIED MAIL**  
91 7199 9991 7031 5495 7809

Mac Hummel  
Executive Vice President/ Business Unit President  
Appalachian Oil Purchasers, LLC  
2501 Cedar Springs, Suite 100  
Dallas, TX 75201

Re: Delegation of Authority Confirmation  
Facility ID No. 03-54-13-00012  
03-54-033-00155 and 03-54-085-00018

Dear Mr. Hummel:

The Division of Air Quality hereby acknowledges your Authority of Corporation form, dated October 15, 2015, for Steve Cornelison to be a delegated authorized representative for the above-referenced facilities.

Should you have any questions or comments, please contact our office at the address or telephone number listed above.

Sincerely,

William F. Durham  
Director

WFD/jlr

c: Steve Cornelison  
File Room

Promoting a healthy environment.

**Kessler, Joseph R**

---

**From:** Ward, Beth A  
**Sent:** Friday, February 17, 2017 10:58 AM  
**To:** Kessler, Joseph R  
**Subject:** APPALACHIAN OIL PURCHASERS INC & MARKWEST LIBERTY MIDSTREAM & RESOURCES LLC PERMIT APPLICATION FEES

This is the receipt for payment received from:

APPALACHIAN OIL PURCHASERS INC, CAIRO, CK# 013374, CK DATE 02/06/2017, \$2,000.00  
R13-3359 ID 085-00018

MARKWEST LIBERTY MIDSTREAM & RESOURCES LLC, SHERWOOD, CK# 042899, CK DATE 01/31/2017, \$300.00  
R13-2914E ID 017-00034

OASIS Deposit CR 1700089587

Thank You!

*Beth Ward*

WV DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BTO FISCAL  
601 57<sup>TH</sup> STREET SE  
CHARLESTON, WV 25304  
(304) 926-0499 EXT 1846  
[beth.a.ward@wv.gov](mailto:beth.a.ward@wv.gov)

## UC Defaulted Accounts Search Results

Sorry, no records matching your criteria were found.

---

FEIN:

Business name: WEST VIRGINIA OIL GATHERING, LLC

Doing business

as/Trading as:

---

Please use your browsers back button to try again.

<a href="#">WorkforceWV</a>	<a href="#">Unemployment Compensation</a>	<a href="#">Offices of the Insurance Commissioner</a>
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## UC Defaulted Accounts Search Results

Sorry, no records matching your criteria were found.

---

FEIN: 460971147

Business name:

Doing business as/Trading as:

---

Please use your browsers back button to try again.

<a href="#">WorkforceWV</a>	<a href="#">Unemployment Compensation</a>	<a href="#">Offices of the Insurance Commissioner</a>
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## Kessler, Joseph R

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**From:** Brandi Lowry <Brandi.Lowry@flatrockenergy.net>  
**Sent:** Tuesday, February 21, 2017 2:29 PM  
**To:** Kessler, Joseph R  
**Cc:** robert.douglas@enlink.com; Kenny Singleton  
**Subject:** RE: WV DAQ Permit Application Status for Appalachian Oil Purchasers, Inc.; Cairo  
**Attachments:** Nutter Station Affidavit of Publication 2017-02-15.pdf

Hello,

The affidavit for the Nutter (Cairo) public notice was received and will be going in the mail today. I've attached a scan just for reference.

Thanks,  
Brandi Lowry  
Program Director – Air Compliance  
Flatrock Engineering and Environmental, Ltd.  
Office: (405) 602-1874  
Cell: (405) 826-4807

*Entire Document*  
**NON-CONFIDENTIAL**

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**From:** Adkins, Sandra K [mailto:Sandra.K.Adkins@wv.gov]  
**Sent:** Thursday, February 16, 2017 3:54 PM  
**To:** steve.cornelison@enlink.com; robert.douglas@enlink.com; Brandi Lowry  
**Cc:** McKeone, Beverly D; Kessler, Joseph R; Rice, Jennifer L  
**Subject:** WV DAQ Permit Application Status for Appalachian Oil Purchasers, Inc.; Cairo

**RE: Application Status**  
**Appalachian Oil Purchasers, Inc.**  
**Cairo**  
**Facility ID No. 085-00018**  
**Application No. R13-3359**

ID. No. 085-00018 Reg. 3359  
Company WV OIL GATHERING  
Facility NUTTER  
Initials JM

Mr. Cornelison,

Your application for a construction permit for the Nutter (Cairo) Station was logged into our database on February 16, 2017, and assigned to Joe Kessler. The application was received by this Division on February 13, 2017; however, our database was nonoperational from February 4 until February 16. The following item was not included in the initial application submittal:

**Original affidavit for Class I legal advertisement not submitted.**

*This item is necessary for the assigned permit writer to continue the 30-day completeness review.*

Within 30 days, you should receive a letter from Joe stating the status of the permit application and, if complete, given an estimated time frame for the agency's final action on the permit.





Any determination of completeness shall not relieve the permit applicant of the requirement to subsequently submit, in a timely manner, any additional or corrected information deemed necessary for a final permit decision.

Should you have any questions, please contact the assigned engineer, Joe Kessler, at 304-926-0499, extension 1219.

Our records indicate the name associated with facility id 085-00018 is Appalachian Oil Purchasers, Inc.; however, on the application the name is West Virginia Oil Gathering, LLC. Please refer to the Change of Ownership section on our website:

<http://www.dep.wv.gov/daq/permitting/Pages/Change-of-Ownership.aspx>

INVOICE AND AFFIDAVIT OF PUBLICATION



# The Pennsboro News

103 North Spring Street, P.O. Box 241  
Harrisville, WV 26362  
Ph. 304.643.4947 • Fax 304.643.4717

WEST CENTRAL PUBLISHING

FEDERAL I.D. NO. 55-06700561

STATE OF WEST VIRGINIA

COUNTY OF RITCHIE, to wit:

I, James McGoldrick, being first duly sworn upon my oath, do depose and say:

- that I am Publisher of The Pennsboro News, a Democratic newspaper,
- that I have been duly authorized to execute this affidavit,
- that such newspaper is regularly published weekly for at least fifty weeks during the calendar year, in the municipality of Harrisville, Ritchie County, West Virginia.
- That such newspaper is a newspaper of "general circulation" as defined in Art. 3, Chap. 59 of the Code of West Virginia 1931 as amended, within Ritchie County
- that such newspaper averages in length four or more pages, exclusive of any cover, per issue;
- that such newspaper is circulated to the general public at a definite price or consideration;
- that such newspaper is a newspaper to which the general public resorts for passing events or a political, religious, commercial and social nature and for current happenings, announcements, miscellaneous reading matters, advertisements and other notices;
- and that the annexed notice described as follows:

## Public Notice - WV Oil Gathering

WAS PUBLISHED IN SAID NEWSPAPER AS FOLLOWS:

TIMES

DATES

One

Feb. 15, 2017

**PUBLICATION  
CHARGES**

\$56.93

### CERTIF-BILL TO

Flatrock Engineering & Environmental  
Attn: Anita Fife  
5509 Main Street, Suite 105  
Del City, OK 73115

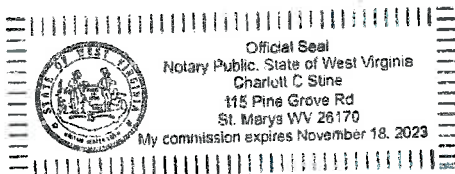
(signed)

### NOTARIZATION

Taken, sworn to and subscribed before me this 15<sup>th</sup>

day of February, 20 17

Notary Public



**PLEASE RETURN A COPY OF THIS  
INVOICE WITH YOUR PAYMENT TO:**  
P.O. BOX 241, Harrisville, WV 26362

### PUBLIC NOTICE

Notice is given that West Virginia Gathering, LLC has applied to the West Virginia Department of Environmental Protection, Division of Air Quality, for a permit for crude oil storage tanks located near Cairo in Ritchie County, West Virginia. From I-77, exit 176 at Parkersburg, and take US Route 50 East. Follow Route 50 to intersection with State Route 31 South. Turn right on SR 31. Facility is immediately on the left. The latitude and longitude coordinates are: 39.24134483, -81.20777119.

The applicant estimates the potential discharge the following Regulated Air Pollutants are:

Nitrogen Oxides	3.63 tpy
Carbon Monoxide	7.26 tpy
Volatile Organic Compounds	9.38 tpy
Sulfur Dioxide	<0.01 tpy
Particulate Matter	9.94 tpy
Acetaldehyde	0.02 tpy
Acrolein	0.02 tpy
Benzene	0.07 tpy
Ethylbenzene	0.01 tpy
Formaldehyde	0.15 tpy
Methanol	0.02 tpy
1-Hexane	0.11 tpy
Toluene	0.09 tpy
Xylenes	0.04 tpy
Carbon Dioxide	828.89 tpy
Methane	0.36 tpy
CO2 Equivalent	836.39 tpy

No change in operation is planned. Written comments will be received by the West Virginia Department of Environmental Protection, Division of Air Quality, 601 57<sup>th</sup> Street, SE, Charleston, WV 25304, for at least 30 calendar days from the date of this notice.

Any questions regarding this permit should be directed to the DAQ at (304) 926-0496, extension 1250, during normal business hours.

Dated this 4<sup>th</sup> day of January, 2017.

By: West Virginia Oil Gathering, LLC  
Steve Cornelison  
Director, Fleet Operations  
2501 Cedar Springs Road Suite 100  
Dallas, TX 75201

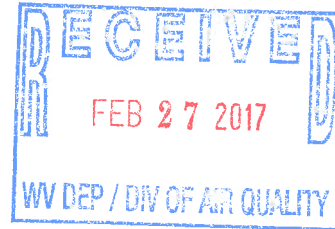
2-15 R



**CORPORATE OFFICE**  
18615 TUSCANY STONE, STE 380  
SAN ANTONIO, TEXAS 78258  
OFFICE (210) 568-1861

**CERTIFIED MAIL 7015 0640 0001 6173 6377**

February 21, 2017



Mr. Joe Kessler  
Division of Air Quality  
WV Department of Environmental Protection  
601 57<sup>th</sup> Street, SE  
Charleston, WV 25304

Re: R13 Permit Application  
West Virginia Gathering, LLC  
Nutter (Cairo) Station  
Ritchie County, WV

Dear Mr. Kessler:

An affidavit and proof of publication is enclosed for the West Virginia Gathering, LLC Nutter (Cairo) Station R13 Permit published in *The Pennsboro News* in Ritchie County, West Virginia on February 15, 2017.

Please feel free to contact me if you have any questions or you need further information at (405) 602-1874 or [Brandi.Lowry@flatrockenergy.net](mailto:Brandi.Lowry@flatrockenergy.net).

Sincerely,

A handwritten signature in blue ink, appearing to read 'Brandi Lowry'.

Brandi Lowry  
Program Director – Air Compliance

Enclosures: Notarized Affidavit and Proof of Publication

## INVOICE AND AFFIDAVIT OF PUBLICATION



# The Pennsboro News

103 North Spring Street, P.O. Box 241  
Harrisville, WV 26362  
Ph. 304.643.4947 • Fax 304.643.4717

WEST CENTRAL PUBLISHING  
FEDERAL I.D. NO. 55-06700561

STATE OF WEST VIRGINIA  
COUNTY OF RITCHIE, to wit:

I, James McGoldrick, being first duly sworn upon my oath, do depose and say:

- that I am Publisher of The Pennsboro News, a Democratic newspaper,
- that I have been duly authorized to execute this affidavit,
- that such newspaper is regularly published weekly for at least fifty weeks during the calendar year, in the municipality of Harrisville, Ritchie County, West Virginia.
- That such newspaper is a newspaper of "general circulation" as defined in Art. 3, Chap. 59 of the Code of West Virginia 1931 as amended, within Ritchie County
- that such newspaper averages in length four or more pages, exclusive of any cover, per issue;
- that such newspaper is circulated to the general public at a definite price or consideration;
- that such newspaper is a newspaper to which the general public resorts for passing events or a political, religious, commercial and social nature and for current happenings, announcements, miscellaneous reading matters, advertisements and other notices;
- and that the annexed notice described as follows:

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Attn: Anita Fife  
5509 Main Street, Suite 105  
Del City, OK 73115

(signed)

### NOTARIZATION

Taken, sworn to and subscribed before me this 15<sup>th</sup>

day of February, 20 17

*Charlotte C. Stine*

Notary Public



Official Seal  
Notary Public, State of West Virginia  
Charlotte C Stine  
115 Pine Grove Rd  
St. Marys WV 26170  
My commission expires November 18, 2023

PLEASE RETURN A COPY OF THIS  
INVOICE WITH YOUR PAYMENT TO:  
P.O. BOX 241, Harrisville, WV 26362

### PUBLIC NOTICE

Notice is given that West Virginia Gathering, LLC has applied to the West Virginia Department of Environmental Protection, Division of Air Quality, for a permit for crude oil storage tanks located near Cairo in Ritchie County, West Virginia. From I-77, exit 176 at Parkersburg, and take US Route 50 East Follow Route 50 to Intersection with State Route 31 South. Turn right on SR 31. Facility is immediately on the left. The latitude and longitude coordinates are: 39.24134483, -81.20777119.

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Dated this 4<sup>th</sup> day of January, 2017.

By: West Virginia Oil Gathering, LLC  
Steve Cornelison  
Director, Fleet Operations  
2501 Cedar Springs Road Suite 100  
Dallas, TX 75201

2-15 R

## Adkins, Sandra K

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**From:** Adkins, Sandra K  
**Sent:** Thursday, February 16, 2017 4:54 PM  
**To:** 'steve.cornelison@enlink.com'; 'robert.douglas@enlink.com';  
'brandi.lowry@flatrockenergy.net'  
**Cc:** McKeone, Beverly D; Kessler, Joseph R; Rice, Jennifer L  
**Subject:** WV DAQ Permit Application Status for Appalachian Oil Purchasers, Inc.; Cairo

**RE: Application Status  
Appalachian Oil Purchasers, Inc.  
Cairo  
Facility ID No. 085-00018  
Application No. R13-3359**

*Entire Document*  
**NON-CONFIDENTIAL**

Mr. Cornelison,

Your application for a construction permit for the Nutter (Cairo) Station was logged into our database on February 16, 2017, and assigned to Joe Kessler. The application was received by this Division on February 13, 2017; however, our database was nonoperational from February 4 until February 16. The following item was not included in the initial application submittal:

**Original affidavit for Class I legal advertisement not submitted.**

*This item is necessary for the assigned permit writer to continue the 30-day completeness review.*

Within 30 days, you should receive a letter from Joe stating the status of the permit application and, if complete, given an estimated time frame for the agency's final action on the permit.

Any determination of completeness shall not relieve the permit applicant of the requirement to subsequently submit, in a timely manner, any additional or corrected information deemed necessary for a final permit decision.

Should you have any questions, please contact the assigned engineer, Joe Kessler, at 304-926-0499, extension 1219.

Our records indicate the name associated with facility id 085-00018 is Appalachian Oil Purchasers, Inc.; however, on the application the name is West Virginia Oil Gathering, LLC. Please refer to the Change of Ownership section on our website:

<http://www.dep.wv.gov/daq/permitting/Pages/Change-of-Ownership.aspx>

